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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,438	03/08/2004	Carl J. Conforti	003/008	1808
<div>7590 09/19/2007</div> <div>CARL CONFORTI 30 RIVERVIEW STREET FALL RIVER, MA 02724</div> <div>EXAMINER PASCUA, JES F</div> <div>ART UNIT 3782 PAPER NUMBER</div> <div>MAIL DATE 09/19/2007 DELIVERY MODE PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10796438	3/8/2004	CONFORTI, CARL J.	003/008

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EXAMINER

Jes F.. Pascua

ART UNIT	PAPER
3782	20070914

DATE MAILED:

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Commissioner for Patents

The amendment filed on 07/10/2007 presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because: 1) the newly added recitation "the body first end and receptacle are folded into the body chamber" (claim 7, line 8) is similar to the language of non-elected claims 13 and 17, 2) the newly added language "sealed by a static self stick material" (claim 7, line 15) is similar to language found in non-elected claim 3, 3) the newly recited "spring like member spanning across an area opening external to the receptacle and apparatus body" (claim 8) was not required by originally elected claims 7-12, 4) the newly recited "apparatus comprises a fullness indicator" (claim 12) is similar to language found in non-elected claims 5 and 6, 5) new claim 18 requires a "geometric tapered shape" which is similar to the language of non-elected claim 13, 6) new claim 19 recites "an elastic member" which is not found in the originally elected claims 7-12, 7) new claims 20 and 21 recite specific body material which is not found in originally elected claims 7-12, and 8) new claim 22 requires "an auto closing flap" which is similar to the language of non-elected claim 13.

Applicant is instructed to cancel the newly presented claims directed to the non-elected invention. Should applicant maintain that the present claims read on the originally elected embodiment, applicant should specifically point out the support for any amendments made to the disclosure. See MPEP 714.02 and MPEP 2163.06. The "disclosure" includes the claims, the specification and the drawings.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Jes F. Pascua
Primary Examiner
Art Unit: 3782